

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

UNITED STATES OF AMERICA)	CR. No. <u>8:22-cr-927</u>
)	18 U.S.C. § 2251(a)
)	18 U.S.C. § 2252(a)(2)
vs.)	18 U.S.C. § 2253
)	28 U.S.C. § 2461(c)
)	
TIMOTHY D. TUCKER)	<u>INDICTMENT</u>

COUNT 1

THE GRAND JURY CHARGES:

Beginning in or about August 2018 through in or about February 2019, in the District of South Carolina and elsewhere, the defendant, TIMOTHY D. TUCKER, did employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct (as defined in 18 U.S.C. § 2256(2)) for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported in interstate commerce; which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate commerce; and which visual depiction was transported in interstate commerce.

All in violation of Title 18, United States Code, Section 2251(a).

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COUNT 2

THE GRAND JURY FURTHER CHARGES:

On or about March 17, 2020, in the District of South Carolina and elsewhere, the defendant, TIMOTHY D. TUCKER, did knowingly distribute visual depictions using a means and facility of interstate commerce and that had been transported in interstate commerce, and which contained materials which had been so transported by any means, including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, as that term is defined in Title 18, United States Code, Section 2256(2), and which visual depiction was of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 3

THE GRAND JURY FURTHER CHARGES:

On or about March 17, 2020, in the District of South Carolina and elsewhere, the defendant, TIMOTHY D. TUCKER, did knowingly receive visual depictions using a means and facility of interstate commerce and that had been transported in interstate commerce, and which contained materials which had been so transported by any means, including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, as that term is defined in Title 18, United States Code, Section 2256(2), and which visual depiction was of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 4

THE GRAND JURY FURTHER CHARGES:

On or about March 13, 2020, in the District of South Carolina and elsewhere, the defendant, TIMOTHY D. TUCKER, did knowingly distribute visual depictions using a means and facility of interstate commerce and that had been transported in interstate commerce, and which contained materials which had been so transported by any means, including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, as that term is defined in Title 18, United States Code, Section 2256(2), and which visual depiction was of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 5

THE GRAND JURY FURTHER CHARGES:

Between on or about August 29, 2019, and March 20, 2020, in the District of South Carolina and elsewhere, the defendant, TIMOTHY D. TUCKER, did attempt to employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct (as defined in 18 U.S.C. § 2256(2)) for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported in interstate commerce; which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate commerce; and which visual depiction was transported in interstate commerce.

All in violation of Title 18, United States Code, Section 2251(a).

FORFEITURE

SEXUAL EXPLOITATION OF CHILDREN:

Upon conviction for violations of Title 18, United States Code, Sections 2251 & 2252 as charged in this Indictment, the Defendant, TIMOTHY D. TUCKER, shall forfeit to the United States his interest in:

- (i) any visual depiction described in sections 2251, 2252, 2251A, or 2252A of chapter 110 of the United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of chapter 110 of the United States Code;
- (ii) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses, and;
- (iii) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses.

PROPERTY:

The property subject to forfeiture pursuant to Title 18, United States Code, Section 2253 and Title 28, United States Code, Section 2461(c), includes, but is not limited to, the following:

Forfeiture Judgment:

A sum of money equal to all proceeds the Defendant obtained, directly or indirectly, from the offenses charged in this Indictment, and all interest and proceeds traceable thereto, and/or such sum that equals all property derived from or traceable to his violations of Title 18.

SUBSTITUTE ASSETS:

If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

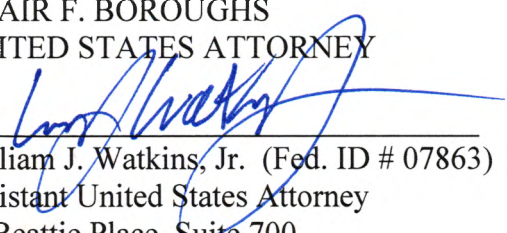
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by 18 U.S.C. § 982(b)(1) to seek forfeiture of any other property of Defendant up to an amount equivalent to the value of the above-described forfeitable property;

All pursuant to Title 18, United States Code, Section 2253 and Title 28, United States Code, Section 2461(c).

A True Bill

FOREPERSON

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